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ART UNIT	PAPER NUMBER
2601	28

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Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents.

Notice of defective Appeal Brief, see attachment.

Serial Number: 08/252,984

-2-

Art Unit: 2601

The Appeal Brief filed on 3/9/95 is defective because it refers to an incorrect version of the claims.

Applicant's after final amendment for the parent application serial number 08/873,323 (paper #14, 3/15/94) was NOT entered. See advisory action (paper # 15, 3/17/95), a copy of the first page is attached.

In the request for File Wrapper Continuing Application (paper # 22, 7/21/94), applicant did NOT request entry of the after final amendment, a copy of the first page of the request is attached.

Applicant incorrectly assumed that the after final amendment was entered.

The brief refers to an incorrect version of the claims. Further, the brief should have a correct and clean copy without brackets or underlining as required by 37 CFR 1.121(b).

APPLICANT IS REQUIRED TO MAKE THE PROPER RATIFICATION WITHIN A TIME LIMIT OF ONE MONTH FROM THE DATE OF THIS LETTER OR WITHIN TWO MONTHS FROM THE DATE OF THE NOTICE OF APPEAL OR WITHIN THE TIME ALLOWED FOR RESPONSE TO THE ACTION APPEALED FROM, WHICHEVER IS THE LONGER, TO AVOID DISMISSAL OF THE APPEAL. NO EXTENSION OF THIS ONE MONTH TIME LIMIT UNDER EITHER 37 C.F.R. § 1.136(a) OR (b) MAY BE GRANTED, BUT THE TWO MONTH PERIOD FOR FILING THE BRIEF MAY BE EXTENDED TO A MAXIMUM OF SIX MONTHS.

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